

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**Boards of Trustees of Ohio Laborers
Fringe Benefits Programs,**

Plaintiffs,

Case No. 2:18-cv-602

v.

Judge Michael H. Watson

H&J Construction, Inc.,

Magistrate Judge Jolson

Defendant.

ORDER

The Boards of Trustees of Ohio's Fringe Benefits Programs ("Plaintiffs") filed their Complaint on June 18, 2018. Compl., ECF No. 1. The summons for H&J Construction, Inc. ("Defendant") was returned executed on August 29, 2018. ECF No. 4. Defendant failed to file a responsive pleading. Plaintiffs applied to the Clerk for an entry of default, which the Clerk entered on August 31, 2018, in accordance with Rule 55(a) of the Federal Rules of Civil Procedure. Entry of Default, ECF No. 6. Plaintiffs moved for default judgment on March 7, 2019, and the time for filing a response passed. ECF No. 18.

Thereafter, on April 8, 2019, the Magistrate Judge issued a Report and Recommendation ("R&R) recommending that Plaintiffs' unopposed motion for default judgment be granted and judgment be entered against Defendant. R&R, ECF No. 19.

Specifically, the Magistrate Judge recommended that Plaintiffs recover: \$19,599.00 from Defendant in unpaid fringe benefit contributions, liquidated damages, and interest for the period of October 2017 to July 2018; attorney's fees in the amount of \$6,160.00; interest from the time of judgment at the rate of 1% per month; and the costs of this action. R&R 1–2, ECF No. 19. The R&R notified the parties of their right to file objections to the R&R pursuant to 28 U.S.C. § 636(b)(1). *Id.* The R&R further advised the parties that the failure to object to the R&R within fourteen days would result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the decision of the District Court adopting the R&R. *Id.* The deadline for filing such objections has passed, and no objections were filed.

Having received no objections, the R&R is **ADOPTED**. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** against Defendant in accordance with this Order.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT